



Jfw RCE 2143

PTO/SB/30 (09-03)

Request
For
Continued Examination (RCE)
Transmittal

Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

| | |
|------------------------|------------------|
| Application Number | 09/587,542 |
| Filing Date | June 1, 2000 |
| First Named Inventor | Luby, Michael G. |
| Art Unit | 2143 |
| Examiner Name | Alina A. Boutah |
| Attorney Docket Number | 019186-001610US |

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).
- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
 - i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
 - ii. ☐ Other _____
 - b. ☒ Enclosed
 - i. ☒ Amendment/Reply
 - ii. ☐ Affidavit(s)/ Declaration(s)
 - iii. ☐ Information Disclosure Statement (IDS)
 - iv. ☐ Other _____
2. **Miscellaneous**
- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
 - b. ☐ Other _____
3. **Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.
- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 20-1430
 - i. ☒ RCE fee required under 37 CFR 1.17(e)
 - ii. ☒ Extension of time fee (37 CFR 1.136 and 1.17)
 - iii. ☐ Other _____
 - b. ☐ Check in the amount of \$ _____ enclosed
 - c. ☐ Payment by credit card (Form PTO-2038 enclosed)
- WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization of PTO-2038.**

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

| | | | |
|--------------------|------------------|-----------------------------------|--------------------|
| Name (Print /Type) | Philip H. Albert | Registration No. (Attorney/Agent) | 35,819 |
| Signature | | Date | September 29, 2004 |

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

| | | | |
|--------------------|---------------------|------|--------------------|
| Name (Print /Type) | Julie Taylor Clough | Date | September 29, 2004 |
| Signature | | | |

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Alexandria, VA 22313-1450

On Sept. 29, 2004

TOWNSEND and TOWNSEND and CREW LLP

By: Julie Taylor Cough

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Michael G. Luby

Application No.: 09/587,542

Filed: June 1, 2000

For: DYNAMIC LAYER
CONGESTION CONTROL FOR
MULTICAST TRANSPORT

Customer No.: 20350

Confirmation No. 6523

Examiner: Alina A. Boutah

Art Unit: 2143

AMENDMENT

Mail Stop: RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In the response to the Advisory Action mailed August 9, 2004, Applicant respectfully requests entry of the current amendment and remarks. Enclosed herewith is a Request for Continued Examination and a fee authorization to extend the time of response for two months.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 5 of this paper.

10/05/2004 HALI11 00000069 201430 09587542

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